URGENT J&A's

- Definition:

  Unusual and Compelling Urgency – FAR 6.302-2 states that When the agency's need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured unless the agency is permitted to limit the number of sources from which it solicits bids or proposals, full and open competition need not be provided for.

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- **DFAR 206.302-2 Unusual and compelling urgency.**

  (b) *Application*. The circumstances under which use of this authority may be appropriate include, but are not limited to, the following:

  (i) Supplies, services, or construction needed at once because of fire, flood, explosion, or other disaster;

  (ii) Essential equipment or repair needed at once to—

  (A) Comply with orders for a ship;

  (B) Perform the operational mission of an aircraft; or

  (C) Preclude impairment of launch capabilities or mission performance of missiles or missile support equipment.

  (iii) Construction needed at once to preserve a structure or its contents from damage;

  (iv) Purchase requests citing an issue priority designator under DoD 4140.1-R, DoD Materiel Management Regulation, of 4 or higher, or citing "Electronic Warfare QRC Priority."

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HISTORICAL:

- In the 70s-80s urgency was based on the Issue Priority Designator (IPD)
- In Jun 91 the DOD Inspector General issued a finding that Army Contracting Activities were inappropriately using FAR 6.302-2 unusual and compelling urgency
- The U.S. Army Contracting Support Agency, Leesburg, VA, consequently tighten oversight and controls in operating procedures to ensure full compliance with the purpose and intent of Competition in Contracting Act (CICA)

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HISTORICAL (cont.):

- The IMMC in collaboration with the Acquisition Center and the Competition Management office updated and reinforced MMD Policy 04-01-24 IPD procurement and 04-01-24A IPD Assignment Chart

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IMMC MATERIEL MANAGER'S POLICY 04-01-24A

IPD ASSIGNMENT CHART

ASSET POSITION

SERV O/H QTY_____
RECOV UNSERV O/H QTY_____
CONT D/I FROM PROC_____
HIGH IPD UNCONT D/I_____
D/I FROM REPAIR QTY_____
OTHER APPLICABLE D/I_____
TOTAL APPLIED ASSETS____

REQMT___

REQUIREMENTS

WRMRP QTY_____
REP CYC QTY_____
ALT QTY_____
PLT QTY_____
PAST DUE B/O_____
B/Os RDD W/I ALT/PLT___
PROT IPD LOW QTY_____
TOTAL APPL

Example: **SCS Recommends Buy of 200**

TOTAL APPLIED ASSETS	= 100
TOTAL REQUIREMENTS	= 225
Shortage is computed at	= 125 (IPD 02-06)
Remainder is Routine buy	= 75

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- **Uniform Materiel Movement and Issue Priority System (UMMIPS)** – Describes how a supply request is assigned a 2 digit numeric code that prioritizes requisitions, referred to as a priority designator (PD).

- The PD is intended to express the mission essentiality of a unit, organization, project, or program to national objectives by two factors. **Force/Activity Designator (FAD)** and the **Urgency of Need Designator (UND)** for an item

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- A high priority designation alone will not justify the use of urgency.

PARAGRAPH 5 OF J&A Should Include:

- The explanation should be tailored to the precise circumstances, and unique facts of the urgent requirement to be negotiated.
- When was the requirement first known?
- Explanation for any delays in initiating procurement action
- The required delivery schedule and lead time involved
- Provide clear evidence that competition is not alternative

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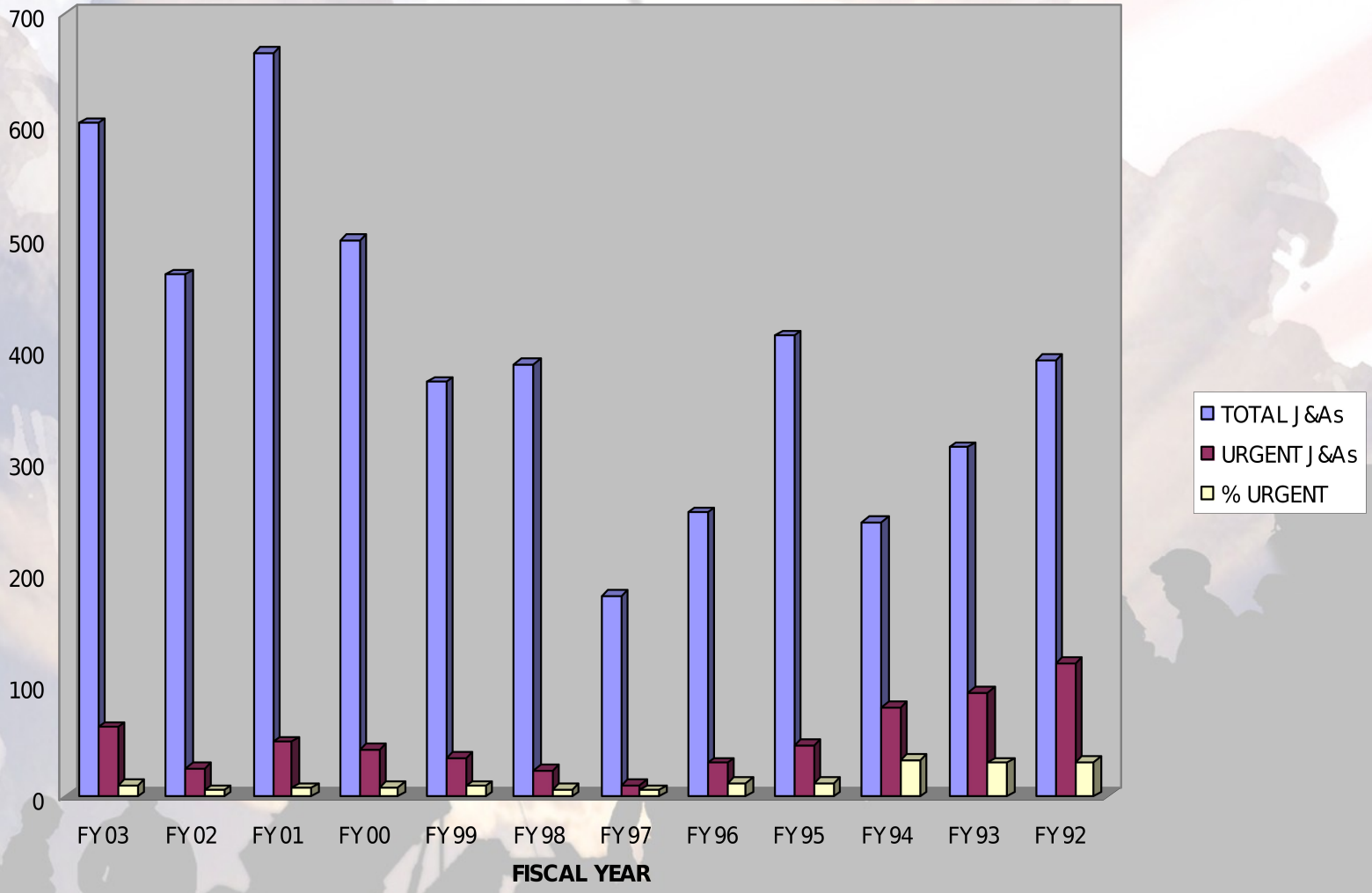
To Cite The Urgency Exception:

- Clearly demonstrate that the U.S. Government is injured if immediate contractual action is not taken
  - Injury can be monetary of mission impacting
  - Must relate to directly to the immediate requirement (i.e., essential equipment, services, repairs for operational mission of aircraft or preclude launch capabilities or mission performance of missiles.
- Identify the essential mission involved and how it is being negatively impacted.
- J&A must be supported by a SOU or an SOI
- Address the contractors ability to meet your delivery schedule
- Sole source is not automatically granted as long as there are other viable sources

URGENT J &A's


700
600
500
400
300
200
100
0
FY 03
FY 02
FY 01
FY 00
FY 99
FY 98
FY 97
FY 96
FY 95
FY 94
FY 93
FY 92
FISCAL YEAR
TOTAL J &As
URGENT J &As
% URGENT

URGENT J&A's

EXAMPLES OF VALID USE OF URGENCY

- Spare/repair parts to support an aircraft or mission during wartime or unusual military exercises.
- Spare/repair parts to ensure missile launch capability or mission performance.
- Parts required as Government Furnished Material (GFM) to a production line or overhaul line, whose absence will result in line shut-down or undue workaround.
- Parts required to support a specific mission (e.g., border surveillance, drug interdiction, Special Operations).
- Items required to relieve a natural disaster.

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EXAMPLES OF INVALID USE OF URGENCY

- Items which could be acquired through normal procurement methods and still meet required delivery dates
- Items to preclude a grounded aircraft when there will not be detrimental mission impact (e.g., for nonessential training, or when pilots or flight hours are not available to fly even if the aircraft were available).
- Items to replenish depot inventory or stockpiled reserves.
- FMS requirements which are not directly related to US interests.
- Requirements whose urgency derives from expiring funds.